

REQUEST / DEMANDE / WNIOSEK

FOR OBTAINING EVIDENCE OR PERFORMING SOME OTHER JUDICIAL ACT
par commission rogatoire, d'accomplir des actes d'instruction ou d'autres actes judiciaires
o przeprowadzenie dowodu lub wykonanie innych czynności sądowych
Sąd Rejonowy w Krośnie, Wydział I Cywilny, ul. Sienkiewicza 12, 38-400 Krosno, Poland
Tribunal (l'autorite requérante)

REFERENCE NUMBER OF THE CASE: I Ns 192/12
(REPLYING, PLEASE GIVE THE REFERENCE NUMBER)
Numero de reference du dossier
(it mentionner dans la reponse)

Sygnatura sprawy:
(signature prosze podac przy odpowiedzi)

TO:
(THE DESCRIPTION OF THE REQUESTED AUTHORITY)
U.S. Department of Justice
Civil Division
Office of International Judicial Assistance
Benjamin Franklin Station
P.O. Box 14360
Washington, D.C. 20004
United States of America

a
(designation de l'autorite requise)

Do: (nazwa organu wezwanego)

PETITIONER: Alicja Miller residing ul. Powstańców Warszawskich 2, 38-400 Krosno, Poland
(FIRST NAME, LAST NAME, ADDRESS OR THE PLACE OF RESIDENCE OF ENTITY)
Demandderesse
(prenom, nom, domicile, nom et siege pour personne morale)

W sprawie wnioskodawcy
(imie, nazwisko, adres lub nazwa i siedziba osoby prawnej)

REPRESENTED BY: Agnieszka Czyżowicz, Attorney-at-Law, from Andrzej Gotfryd Law Office, ul. Kościuszki 61,
38-200 Jasło, Poland
(FIRST NAME, LAST NAME, ADDRESS OF THE LEGAL REPRESENTATIVE)
representete) par
(imie, nazwisko, adres pełnomocnika)

VERSUS: DEFENDER :Grzegorz Miller residing ul. Zabłockiego 54/19, 40-750 Katowice, Poland
(FIRST NAME, LAST NAME, ADDRESS OF THE PLACE OF RESIDENCE OF ENTITY)
contre: detendeur / detenderesse
(prenom, nom, domicile, nom et siege pour personne morale)

przeciwko
(imie, nazwisko, adres lub nazwa i siedziba osoby prawnej)

REPRESENTED BY: Lesław Kubit, Attorney-at-Law, from Lawyer's Office in Krosno, ul. Staszica 25/8, 38-400 Krosno, Poland
(FIRST NAME, LAST NAME, ADDRESS OF THE LEGAL REPRESENTATIVE)
representete) par
(prenom, nom, domicile du mandataire)
reprezentowanemu przez:
(imie, nazwisko, adres pełnomocnika)

KIND AND THE SUBJECT OF THE PROCEEDINGS:
division of joint property

la nature et l'objet du litige:
rodzaj i przedmiot postępowania:

JUL - 7 2015

18-07-2015

PURSUANT TO THE ARTICLE 1 OF THE CONVENTION OF MARCH 18TH, 1970 ON THE TAKING OF EVIDENCE ABROAD
IN A CIVIL OR COMMERCIAL MATTERS THE COURT KINDLY REQUESTS FOR:

Le tribunal susmentionné demande par commission rogatoire (Convention sur l'obtention des preuves à l'étranger en matière civile ou commerciale, du 18 mars 1970, article 1):
zgodnie z art. 1 Konwencji z dnia 18 marca 1970 o przeprowadzaniu dowodów za granicą w sprawach cywilnych i handlowych uprzejmie prosi o:

1. HEARING THE WITNESS: Beata Gille residing 32375 Mermaid Run Millsboro DE 19966, U.S.A

FIRST NAME, LAST NAME, ADDRESS)

d'entendre le témoin

(prenom, nom, domicile)

przesłuchanie świadka (imię, nazwisko, adres)

THE LIST OF THE QUESTIONS ATTACHED.

Questionnaire de commission rogatoire ci-joint.

Lista pytań w załączeniu,

THE COURT KINDLY REQUESTS FOR HEARING WITNESS:

Le Tribunal demande à ce que les dépositions de la témoin:

Sąd uprzejmie prosi, aby zeznania świadka:

AFTER INFORMING HIM ON CRIMINAL LIABILITY FOR FALSE OR MISLEADING STATEMENTS / AFTER TAKING AN OATH IN THE APPROPRIATE WAY PROVIDED BY LAW IN FORCE *

ayant été rendu(e) attentif (attentive) aux sanctions pénales encourues pour faux témoignage / après avoir prêté serment (fait promesse) dans le respect des formes prescrites par la loi locale applicable *

po uprzedzeniu o odpowiedzialności karnej za złożenie fałszywych zeznań / po odebraniu przyrzeczenia (przysięgi) w formie przewidzianej prawem miejscowym * (zaznacz właściwe)

THAT SHOULD BE RECORDED AND SIGNED BY THE PERSON IN QUESTION.

soient consignées dans le procès-verbal et signées par la personne entendue.

Zostały zaprotokołowane i własnoręcznie przez osobę przesłuchaną podpisane.

2) PERFORMING SOME OTHER JUDICIAL ACTS:

de procéder à d'autres actes judiciaires:

o dokonanie innych czynności sądowych:

THE MENTIONED BELOW PERSON(S) SHOULD BE INFORMED ON THE DATE AND PLACE OF PERFORMING THE EVIDENCE:

La date et lieu de l'exécution de la commission rogatoire doivent être communiqués à:

o terminie i miejscu przeprowadzenia czynności dowodowej należy zawiadomić:

THE COURT KINDLY ASKS FOR PROVIDING THE RECORDS OR ANY OTHER DOCUMENTS WHICH WERE DONE IN THE CASE TO THE REQUESTING AUTHORITY AFTER EXECUTION OF THE REQUEST.

Après exécution de la commission rogatoire l'autorité requise est priée de remettre à l'autorité requérante le procès-verbal ou tout autre document dressé au cours de l'instruction de la mesure sollicitée.

Po wykonaniu wniosku Sąd uprzejmie prosi o przesłanie protokołu bądź innych dokumentów sporządzonych w sprawie do organu wzywającego.

SEAL OF THE COURT/Sceau du Tribunal / Pieczęć Sądu
SIGNATURE OF JUDGE / Signature du Juge / Podpis Sędziego

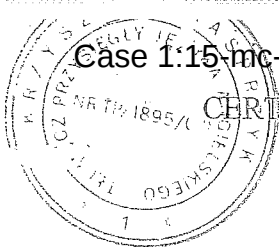
DONNE AT

Fait à

Sporządzono w Krosno, dnia 14.05.2015.

MSZ 17 - Wydział 0 przeprowadzenia dowodu
Zakład Produkcyjny 77-330 Czarnie ul. Pomorska 1 Tel./Fax (0597) 32-430





CERTIFIED TRANSLATION FROM THE POLISH LANGUAGE

AG LAW OFFICE

Andrzej Gotfryd

ul. Kościuszki 61

38-200 Jasło Poland

Jasło, 5th December 2012

**IN THE CIRCUIT COURT IN KROSNO
CIVIL DIVISION I**

ul. Sienkiewicza 12

38-400 Krosno

Case No. I Ns 192/12

Petitioner: **Alicja Miller**, residing Krosno ul. Powstańców Warszawskich 2,
represented by the legal representative, Agnieszka Czyżowicz, Attorney-
at-Law, from Andrzej Gotfryd Law Office, 38 – 200 Jasło
ul. Kościuszki 61,

Participant: **Grzegorz Miller**, residing Katowice ul. Zabłockiego 54/19, represented by
the legal representative, Lesław Kubit, Attorney-at-Law, from Lawyer's
Office in Krosno

PETITIONER'S LETTER

On behalf of the Petitioner, whose power of attorney is to be found in the file, I am hereinafter presenting the questions on the witnesses Beata Gille and Greg Gille. The questions refer to both witnesses.

- were there any arrangements made between Mrs. Beata Gille and Alicja and Grzegorz Miller relating to purchase of the gas grill and the car Toyota Highlander, and what were these arrangements?
- did Mrs. Beata Gille receive a sum of money from Alicja and Grzegorz Miller for purchasing the gas grill and the car Toyota Highlander?
- what was the payment of 36.000 USD made by Alicja and Grzegorz Miller on March 4, 2008 to Mrs. Beata Gille's bank account for?
- was the car Toyota Highlander used over the period of 6 months by Mrs. Beata Gille and Mr. Greg Gille?

- was the car Toyota Highlander purchased by Mrs. Beata Gille and Mr. Greg Gille for themselves or for Mrs. Alicja Miller and Mr. Grzegorz Miller?
- who financed the transport of the car Toyota Highlander from the USA to Poland?
- when did Mrs. Beata Gille receive a real property at 32 Lwowska St. in Krosno as a legal donation from her parents? Did Mr. Grzegorz Miller know about this donation? When did he find it out?

Legal representative
to the Petitioner

Agnieszka Czyżowicz
/signature illegible/

Enclosure:

- proof of posting the letter by registered post to the address of the legal representative to the party to the proceeding

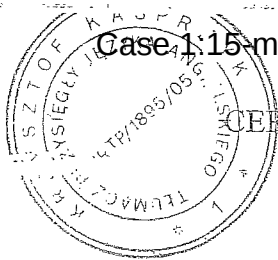


I, Krzysztof Kasprzyk, sworn translator of the Province Court in Krosno hereby verify upon presentation of the original document in the Polish language that the foregoing is a true and faithful translation thereof.

Krzysztof Kasprzyk

Made in Krosno, this 18th day of March 2013

No 47/13



CERTIFIED TRANSLATION FROM THE POLISH LANGUAGE

*Lesław Kubit - Attorney-at-Law
Lawyer's Office*

38 – 400 Krosno, ul. Sienkiewicza 4

tel. (013) 43 214 77

ING BS O/KROSNO 38 1050 1458 1000 0012 0174 1061

Krosno, 30th November 2012

The copy of this document has been served
directly to the petitioner's legal representative

**IN THE CIRCUIT COURT IN KROSNO
CIVIL DIVISION I**

Case No. I Ns 192/12

Petitioner: **Alicja Miller**, residing Krosno ul. Powstańców Warszawskich 2,
represented by the legal representative, Agnieszka Czyżowicz, Attorney-
at-Law, from Alfred Gotfryd Lawyer's Office, 38 – 200 Jasło
ul. Kościuszki 61,

Participant: **Grzegorz Miller**, residing Katowice ul. Zabłockiego 54/19, represented by
the legal representative, Lesław Kubit, Attorney-at-Law, from Lawyer's
Office in Krosno

PREPARATORY DOCUMENT
Participant

Participant sustains all his claims and accusations, and moreover,

1. he requests the Court should admit the testimonial evidence of Wołodimir Romaniv residing Kalush 77300 ulica Pidvalna 61/4 Ukraine
- in order to prove that the value of the paintings quoted by the Petitioner – the author of which was the witness – is considerably undervalued,
2. presents the list of questions to the witnesses:

Beata Gille

- did you and your husband grant Grzegorz Miller the “family” financial loan for finishing building the house in Krosno at Żniwna Street?

- when was this loan granted, in which currency and how was it transferred to Poland
- what was the loan value and how was it paid off
- was this loan used for purchase of the car Toyota Highlander
- when was the car Toyota Highlander purchased and who used the car in the USA
- when was the car transferred to Poland and what happened to it in Poland who took it from Gdynia, what were customs and fiscal duties ?
- were there the gas grill and equipment for grass collection in the car?

Greg Gille

- did you and your wife grant Grzegorz Miller the "family" financial loan for finishing building the house in Krosno at Żniwna Street?
- when was this loan granted, in which currency and how was it transferred to Poland
- what was the loan value and how was it paid off
- was this loan used for purchase of the car Toyota Highlander
- when was the car Toyota Highlander purchased and who used the car in the USA
- when was the car transferred to Poland and what happened to it in Poland who took it from Gdynia, what were customs and fiscal duties ?
- were there the gas grill and equipment for grass collection in the car?

Legal representative
to the Party to the Proceeding

Lesław Kubit, M.A.
Attorney-at-Law



I, Krzysztof Kasprzyk, sworn translator of
the Province Court in Krosno hereby
verify upon presentation
of the original document in the Polish
language that the foregoing is a true and
faithful translation thereof.

Made in Krosno, this 18th day of March 2013

Krzysztof Kasprzyk

02.03.2013